



Legislative Bulletin.....September 28, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$276 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 1

Number of Bills Without Committee Reports: 2

Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority: 0

H.R. 3864 — Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act of 2005 — *as introduced* (Boustany)

Order of Business: The bill is scheduled to be considered on Wednesday, September 28, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3864 directs the Commissioner of the Rehabilitation Services Administration to give preference to states affected by Hurricane Katrina and Hurricane Rita, when reallocating funds made available under Title I of the Rehabilitation Act. The Commissioner is directed to make these funds available no later than seven days after the date of enactment.

Additionally, the bill allows the Commissioner to waive the current non-federal matching requirement with respect to amounts made available to affected states for fiscal year 2005, if the affected state submits to the Commissioner an application requesting the waiver. Current law requires that, “The Commission shall make such amount available only if such other State will be able to make sufficient payments from non-Federal sources to pay for the non-Federal share of the cost of vocational rehabilitation services under the State plan for the fiscal year for which the amount was appropriated.”

H.R. 3864 lists the following appropriate uses of funds received by affected states under the Act:

- “to pay for vocational rehabilitation services (which may include training, mentoring, or job shadowing opportunities) for individuals with disabilities affected by Hurricane Katrina or individuals with disabilities affected by Hurricane Rita that contribute to the economic growth and development of communities;
- “to enable—
 - “individuals with disabilities affected by Hurricane Katrina to participate in reconstruction or other major disaster assistance activities in the areas in which the individuals resided on August 22, 2005;
 - “individuals with disabilities affected by Hurricane Rita to participate in reconstruction or other major disaster assistance activities in the areas in which the individuals resided on the date that is seven days before the date on which the President has declared that a major disaster related to Hurricane Rita exists in such areas; or
 - “to carry out other activities in accordance with title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).”

Committee Action: On September 22, 2005, the bill was introduced and referred to the House Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: No CBO cost estimate is available for H.R. 3864.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 388 — Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government against members of Cuba’s prodemocracy movement, calling for the immediate

**release of all political prisoners, the legalization of political parties and free elections in Cuba, urging the European Union to reexamine its policy toward Cuba, and calling on the representative of the United States to the 62d session of the United Nations Commission on Human Rights to ensure a resolution calling upon the Cuban regime to end its human rights violations, and for other purposes
— as introduced (Lincoln Diaz-Balart)**

Order of Business: The resolution is scheduled to be considered on Wednesday, September 28, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 388 resolves that the House of Representatives:

- “condemns the gross human rights violations committed by the Cuban regime;
- “calls on the Secretary of State to initiate an international solidarity campaign on behalf of the immediate release of all Cuban political prisoners;
- “supports the right of the Cuban people to exercise fundamental political and civil liberties, including freedom of expression, assembly, association, movement, the press, and the right to multiparty elections;
- “calls on the European Union to reexamine its current policy toward the Cuban regime, before June of 2006; and
- “calls on the United States Permanent Representative to the United Nations, and other international organizations, to work with the member countries of the United Nations Commission on Human Rights (UNCHR) throughout the 62d session of the UNCHR in Geneva, Switzerland, to ensure a resolution that includes the strongest possible condemnation of the July 2005 measures of extreme repression on opposition activists and of all the human rights violations committed by the Cuban regime.”

The resolution also lists a number of findings regarding the Cuban government:

- “the European Union instituted measures on the Cuban Government after the Cuban Government exercised extreme repression on peaceful prodemocracy activists in 2003, but in January 2005 the European Union suspended its measures;
- “thousands of others languish in Cuba's totalitarian prisons accused of ‘common crimes’, such as illegally attempting to leave the country and violating the norms of the totalitarian economic system, who should be recognized as prisoners of conscience because they are being jailed for attempting to exercise personal freedoms;
- “the Cuban Government remains designated as one of 6 state sponsors of terrorism by the United States Department of State;
- “the Cuban Government continues to provide safe harbor to fugitives from United States law enforcement agencies and to international terrorists;
- “the Cuban regime engages in torture and other cruel, inhumane, and degrading treatment, including extended periods of solitary confinement and denial of nutritional and medical attention, according to the Department of State's Country Report on Human Rights 2004; and
- “the Cuban regime continues to violate the rights enshrined in the Universal Declaration of Human Rights, the Inter-American Convention on Human Rights, and other international and regional human rights agreements, and has violated the noted Resolutions of the United Nations Commission on Human Rights.”

Committee Action: On July 26, 2005, the resolution was introduced and referred to the House Committees on International Relations, which considered it, held a mark-up, and reported it to the House by unanimous consent on September 15, 2005.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 3200 — Servicemembers’ Group Life Insurance Enhancement Act of 2005 — *as amended by the Senate (Jeff Miller)*

Order of Business: The bill, as amended by the Senate, is scheduled to be considered on Wednesday, September 28, 2005, under a motion to suspend the rules and pass the bill.

Note: The House passed H.R. 3200 on July 26, 2005, by a vote of 424-0

<http://clerk.house.gov/evs/2005/roll420.xml>. Yesterday, September 27th, the Senate passed the bill with an amendment, by unanimous consent. The Senate changes are noted below in red bolded text.

Note: The Servicemembers’ Group Life Insurance Enhancement Act, was included in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (H.R.1268, Section 1012). The provision in the Supplemental includes a termination (or sunset date) of September 30, 2005. Under House Republican Conference Rule 28, an authorization bill that repeals a sunset may not be scheduled for suspension. This rule has been waived by the elected leadership so that the House can consider H.R. 3200 on suspension.

The House also passed a bill earlier this year on May 23 (H.R. 2046), that dealt with this same program and amended it related to limiting premium increases on health insurance for reservists who return to their civilian jobs after serving on active duty and for reservists whose activation is cancelled.

Summary: The bill makes permanent the change from the 2005 DOD Supplemental that increased (only for fiscal year 2005) the maximum coverage under the Servicemembers’ Group Life Insurance (SGLI) and the Veterans’ Group Life Insurance (VGLI) programs. **The Senate bill eliminated the House-passed provision that allowed those servicemembers who are insured under SGLI to opt out of the Traumatic Injury Protection Insurance portion of SGLI, (similar to dismemberment insurance in the private sector), which is currently automatically added to the life insurance policy.**

Under the bill, the maximum coverage under SGLI is permanently increased from \$250,000 to \$400,000 for all servicemembers, effective September 1, 2005. **The Senate eliminated the House-passed \$400,000 coverage maximum for the VGLI program and amended the maximum VGLI coverage from \$250,000 to “the maximum amount for Servicemembers’ Group Life Insurance in effect under section 1967(a)(3)(A)(i).”**

Increments of SGLI coverage a servicemember may elect are increased from \$10,000 to \$50,000. The bill also sets up a process of notification to married members' spouses if a servicemember opts not to be insured, opts for lower than the maximum insurance coverage, or designates someone other than his or her spouse or child as the life insurance beneficiary. **The Senate eliminated House-passed language that dealt with notifying spouses when non-married servicemembers get married and notifying next of kin, if unmarried. The Senate also added language regarding what is considered a "good faith effort" by the Secretary in attempting to notify the spouse.**

Committee Action: On July 11, 2005, the bill was introduced and referred to the House Veterans Affairs Committee, which considered it and reported it to the full House by voice vote on July 14, 2005. The House passed H.R. 3200 on July 26, 2005, by a vote of 424-0 <http://clerk.house.gov/evs/2005/roll420.xml>. Yesterday, September 27th, the Senate passed the bill with an amendment, by unanimous consent.

Cost to Taxpayers: A CBO cost estimate is not available for the amended bill, but the CBO estimate on the House bill estimated that implementing this bill would cost \$95 million in 2006, and \$199 million over the 2006-2010 period, subject to appropriations. Currently, DOD reimburses the Veterans Affairs Department for deaths that exceed estimated VA calculations, calculations based on peace-time operations. CBO arrives at the cost of this bill by estimating that deaths will exceed VA projections by approximately 640 in 2006, declining to 40 additional deaths in 2009. These projections are subject to change with circumstances and are based on a draw down of U.S. troops in Iraq and Afghanistan to approximately 50,000 servicemen remaining in theater in 2009.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Veterans Affairs Committee, in Report 109-177, finds authority under Article I, Section 8 (to "provide for the common Defense and general Welfare of the United States").

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S. 1752 — To amend the United States Grain Standards Act to reauthorize that Act — *as passed* (Senator Chambliss)

Order of Business: The bill is scheduled to be considered on Wednesday, September 28th, under a motion to suspend the rules and pass the bill.

Summary: S. 1752 reauthorizes, until 2015, the United States Grain Standards Act, which is set to expire on September 30, 2005. The Grains Standards Act was originally passed by Congress in 1916, and requires official certification that export grain sold by grade has been inspected and weighed.

Committee Action: S. 1752 was passed by the Senate on September 22, 2005, and is currently being held at the House desk.

Cost to Taxpayers: There is no CBO cost estimate available for S. 1752. However, on a similar piece of legislation in the House, H.R. 3421, CBO estimated that implementation of the extension would cost \$77 million over five years, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes. According to CBO's estimate of H.R. 3421, extension of the Act "would impose a private-sector mandate, on grain exporters in the form of fees. Based on information provided by government sources, CBO estimates that the aggregate direct costs of complying with the mandate would be about \$25 million, and consequently well below the annual threshold established by UMRA for private-sector mandates (\$123 million in 2005, adjusted annually for inflation)."

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H.Con.Res. 178 — Recognizing the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis — *as introduced* (Norwood)

Order of Business: The concurrent resolution is scheduled for consideration on Wednesday, September 28, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res 178 resolves that Congress recognizes "the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis," among other findings. The resolution also states that Congress supports the work of the Coalition for Pulmonary Fibrosis, encourages the President to issue a proclamation designating a national Idiopathic Pulmonary Fibrosis Week, and it supports the goals and ideals of such a week.

Additional Information: Based on the resolution's findings, and consistent with various medical websites, Idiopathic Pulmonary Fibrosis (IPF) is a lung disorder causing progressive, incurable lung scarring. When the scar forms, the tissue becomes thicker causing an irreversible loss of the tissue's ability to transfer oxygen into the bloodstream.

IPF is one of about 200 disorders called interstitial lung diseases, and it the most common form of interstitial lung disease. There are approximately five million people worldwide affected by this disease. In the United States there are over 200,000 patients with IPF, although some estimate the actual number may be significantly higher based on frequent misdiagnosis. Approximately 40,000 people in the United States die from IPF annually. There are currently no effective treatments or a cure for the disease. For more information, see: <http://www.pulmonaryfibrosis.org/ipf.htm>

Committee Action: H.Con.Res. 178 was introduced on June 14, 2005, and referred to the House Energy and Commerce Committee's Subcommittee on Health, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Con.Res. 245— Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States. — *as introduced* (Issa)

Order of Business: The resolution is scheduled to be considered on Wednesday, September 28, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 245 resolves that is the sense of Congress that:

- “judicial rulings by the United States Court of Appeals for the 4th and 9th circuits have split on the issue of whether the Constitution allows the recitation of the Pledge of Allegiance in schools;
- “the ruling by the United States Court of Appeals for the 4th circuit correctly finds the Constitution does allow such a recitation; and
- “the United States Supreme Court should at the earliest opportunity resolve this conflict among the circuits in a manner which recognizes the importance and Constitutional propriety of the recitation of the Pledge of Allegiance by school children.”

Committee Action: On September 15, 2005, the resolution was introduced and referred to the House Committee on Judiciary, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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